

SANPETE COUNTY COMMISSION MEETING

July 21, 2009, 1:00 P.M.

Sanpete County Courthouse, 160 North Main, Room 303, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioners Spencer Cox and Steve Frischknecht, County Attorney Ross Blackham, and County Clerk Sandy Neill. Present from the media is C.R. Truitt.

Meeting is called to order by Commission Chair Claudia Jarrett.

CLAIMS

Auditor Ilene Roth is present. Motion is made by Commissioner Cox to approve payment of claims #320635 through #320750. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL TO PAY LUDLOW ENGINEERING FOR WORK DONE ON THE INDIANOLA VALLEY FIRE DEPARTMENT

Motion is made by Commissioner Frischknecht to approve the payment of \$3,739.65 to Ludlow Engineering for work done on the Indianola Valley Fire Station. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL TO PAY BECK'S HOME FURNISHINGS FOR SERVICE TO MT. PLEASANT DIGITAL TRANSLATOR SITE

Motion is made by Commissioner Cox to approve the payment of \$2,400.00 to Beck's Home Furnishings for service to the Mt. Pleasant digital translator site. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL OF WATER USE AGREEMENT WITH THE LDS CHURCH FOR THE INDIANOLA VALLEY FIRE STATION

Motion is made by Commissioner Frischknecht to approve the water use agreement with the LDS Church for the Indianola Valley Fire Station. The costs shall be \$400.00 for the term of the agreement based on \$2 per 1,000 gallons and \$200 for the expense in preparing and administering the agreement. The motion is seconded by Commissioner Cox, and the motion passes.

AWARD BID FOR FLOORING IN THE HEALTH DEPARTMENT BUILDING

Motion is made by Commissioner Frischknecht to award the bid to Christiansen Furniture in the amount of \$901.73 to install flooring in the health department building. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL OF LETTER IN SUPPORT OF CENTERFIELD CITY'S REQUEST FOR CIB FUNDS TO INSTALL LIFT STATIONS

Centerfield City has been saving money to put in lift stations for their sewer line. The pumps at the waste water lift station have reached a critical point in their existence and have become difficult to keep on line. The age of the pumps and lack of replacement parts have begun to place a considerable strain upon the operator in his efforts to keep them working and prevent serious back-

ups or overflows. The city contracted to have the project engineered, and found equipment that met their needs and was within their financial ability to pay. The engineering design and report, however, put the project out of their ability to pay. This project is not currently on the CIB list because the city intended to fund this on their own. Motion is made by Commissioner Cox to approve a letter of support in support of Centerfield City's request for CIB funds to install lift stations. The motion is seconded by Commissioner Frischknecht, and the motion passes.

REED HATCH: APPOINTMENT OF SURVEYOR TO REVIEW BOUNDARY CHANGES AND SPECIAL SERVICE DISTRICTS TO COMPLY WITH HB 61

Reed Hatch is present. Bids were received from area surveyors and are reviewed. The surveyor will be paid by the entity requiring their services. Motion is made by Commissioner Cox to appoint Savage Surveying and Ludlow Engineering based on availability as the surveyors of record for Sanpete County to review boundary changes and special service districts at a rate of \$60.00 per hour. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL OF RESOLUTION IN SUPPORT OF THE FAIR BOUNDARIES INITIATIVE

With the 2010 census, the state will have the opportunity to redistrict. Sanpete County is close in population to be able to join with another small county and have our own representative. A non-partisan group has been formed. They would like to place a proposal on the ballot to seat an independent commission for the purpose of redistricting the State of Utah after the 2010 census. This committee would be formed at no cost. The commissioners will review this matter, and will consider the resolution at the next meeting.

ANITA RADDATZ: UPDATE ON EXTENSION

Anita Raddatz is present. Ten thousand acres in Sanpete County will be sprayed and reimbursed for grasshopper infestation. 4-H groups have marched in 6 community parades since October, 2008. The 4-H talent expo was well attended. Ms. Raddatz is working hard to get the word out about the importance of testing home pressure canners. She has scheduled testing across the County. She has been marketing extension services by placing ads and calendared events in the newspaper, on business cards, tv shows, name tags, a booth at the Sanpete County Fair, and 4-H and extension websites. Ms. Raddatz reports that the vehicle that the extension uses was serviced (fluid changes, windshield replaced, hoses and brakes fixed). The bill went over the expected amount. They will take money from the telephone budget to help pay the bill.

TOM CHRISTENSEN WITH JONES AND DEMILLE: REVIEW AND APPROVAL OF CHANGE ORDER FOR THE PIGEON HOLLOW TO SPRING CITY PROJECT

Tom Christensen is present. A section of the road has a soft subgrade, and geogrid will be put down along with 12 inches of granular borrow to fix the problem. At the request of the irrigation company, casings will be put around the pipes. The project is still within the contingency with this change order. The roads are on schedule to be paved by the middle of September. Motion is made by Commissioner Cox to approve the change order in the amount of \$89,929.03 for the Pigeon Hollow to Spring City project. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve the signature of the chair on the payment request and progress report #3 for the Pigeon Hollow road project. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL OF PAYMENT REQUEST AND PROGRESS REPORT NO. 4 FOR THE AXTELL BRIDGE OVER THE SEVIER RIVER PROJECT

This project is within budget, and will have the 90% review next week. It should be ready to go to bid soon. Motion is made by Commissioner Frischknecht to approve the signature of the chair on the payment request and progress report #4 for the Axtell Bridge project. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL TO SIGN MEMORANDUM OF UNDERSTANDING FOR A RANGELAND RESOURCE AGENT TO SERVE UTAH'S SIX COUNTY ASSOCIATION OF GOVERNMENT, AND APPROVAL TO PAY DEPARTMENT OF AGRICULTURE AND FOOD

Motion is made by Commissioner Cox to approve the memorandum of understanding for a rangeland resource agent to serve Utah's Six County AOG, and to approve the payment of \$8,000.00 to Department of Agriculture and Food towards the hiring of an agent. The motion is seconded by Commissioner Frischknecht, and the motion passes.

TRACY CHRISTENSEN: APPROVAL OF BUILDING PERMIT FEE INCREASE

Tracy Christensen is present. Sanpete County's permits are relatively low compared to the surrounding areas. Our permit fees are down about 16% so far this year. The Commission discuss the benefit of the building inspection services to the homeowner, and the fact that fees have not been increased for a number of years. Motion is made by Commissioner Frischknecht to approve a 10% increase in the building permit fees effective August 1, 2009. The motion is seconded by Commissioner Cox, and the motion passes.

LEE HOLMSTEAD: REQUEST FOR A PUBLIC HEARING TO AMEND CONDITIONAL USE PERMIT ORDINANCE

Lee Holmstead is present. A proposal has been made to make changes to the conditional permit ordinance. The changes deal with changes procedures to be followed if there is a change in ownership. Motion is made by Commissioner Cox to set a public hearing on August 18, 2009 at 3:00 P.M. to consider an amendment to the conditional use permit ordinance. The motion is seconded by Commissioner Frischknecht, and the motion passes.

TIM SYME: FINAL APPROVAL OF SYME SUBDIVISION

Lee Holmstead and Tim Syme are present. Motion is made by Commissioner Frischknecht to approve the Syme subdivision. The motion is seconded by Commissioner Cox, and the motion passes.

PETER CASE WITH WALMART: APPROVAL TO USE PICNIC TABLES AND AREA IN FRONT OF EXHIBIT BUILDING ON JULY 30, 2009

Motion is made by Commissioner Frischknecht to approve the use of the picnic tables and area in front of the exhibit building subject to signing a waiver of liability and hold harmless agreement and paying a \$100.00 deposit. Tables need to be unstacked and then re-stacked before the deposit will be returned. The motion is seconded by Commissioner Cox, and the motion passes.

FRANK OSORIO WITH AMERICAN CROWN CIRCUS: APPROVAL TO USE FAIRGROUND ARENA FOR AMERICAN CROWN CIRCUS ON JULY 28, 2009

Motion is made by Commissioner Frischknecht to approve the use of the fairground arena for American Crown Circuit on July 28, 2009 for a \$100.00 deposit, fee of \$200.00 or 10% of gate charge, whichever is greater, and proof of insurance. The motion is seconded by Commissioner Cox, and the motion passes.

SHERIFF KEVIN HOLMAN: APPROVAL TO HIRE D. RYAN ALLEN FOR PATROL; APPROVAL OF STEP INCREASE FOR DARREN PEAD (WHO GRADUATED FROM POST); APPROVAL TO HIRE TYLER AARON JOHNSON AND JEFF L. NIELSEN AS CORRECTIONAL OFFICERS AND SEND THEM TO POST ACADEMY FOR TRAINING

Sheriff Kevin Holman is present. Motion is made by Commissioner Frischknecht to approve hiring D. Ryan Allen for patrol at the rate of \$15.81 to begin August 17, 2009, conditional on completion of training. The motion is seconded by Commissioner Cox, and the motion passes. Motion is made by Commissioner Frischknecht to approve a step increase for Darren Pead (who graduated from POST) to \$15.81 per hour effective today. The motion is seconded by Commissioner Cox, and the motion passes. Motion is made by Commissioner Frischknecht to approve the hiring of Tyler Aaron Johnson and Jeff L. Nielsen as correctional officers at the rate of \$13.61 per hour effective August 3, 2009. The motion is seconded by Commissioner Cox, and the motion passes. Sheriff Holman is working on getting more state inmates, and is applying with immigration for federal inmates. Other states are being contacted to see if they have inmates that could be housed here. The jail has around 90 beds filled out of the 128 available. Fifty of those are state contracted inmates.

SHARON MITCHELL: DISCUSSION OF TAXES ASSESSED AND REQUEST FOR RELIEF FROM PENALTY AND INTEREST ON SKYLINE MTN RESORT LOT K 106 (AKA LOT K 86)

Mrs. Mitchell appears by phone. She explains that there were no improvements on the property when they purchased it. They received two tax notices for improvements and spoke with Joe Hanks (who sold them the property) and thought he took care of it. The Commission explain that it is the responsibility of the property owner to make corrections with the County if needed. The Assessor viewed the property last week, and will now remove the assessment for improvements. Mrs. Mitchell will pay the bill, and is advised to notify the assessors office if she receives another tax notice for improvements.

DECISION ON REQUEST FOR REFUND OF TAXES ON S 40122

The Commission believes that Ms. Smith may have lived in this home as her primary residence prior to 2005. Unfortunately, based on rules and regulations, the County does not have the option of refunding money once taxes have been paid. Notices for the board of equalization were sent year after year. The tax code makes it clear that adjustment or deferral of taxes cannot be made once the taxes have been paid. Motion is made by Commissioner Cox to deny the request for a refund on taxes paid on S 40122. The motion is seconded by Commissioner Frischknecht, and the motion passes.

ROBERT E BUCKNER WITH SANPETE COUNTY HUMANITARIAN COUNSEL: PROGRESS UPDATE

Robert Buckner and Becky Wilson are present. Mr. Buckner updates the Commission on the progress in forming the humanitarian counsel. They are close to finishing the paperwork for tax exempt status. The next project will be to complete application with the IRS. Mt Pleasant City has given them office space in the city hall. An invitation is made to the Commissioners to join them at their meetings. They are held at 1:00 PM on the third Thursday of each month at Cavalier's Pizza in the conference room. Ms. Wilson states they are working on providing a shelter for abused women. Commissioner Cox states that Mike Godfrey with DCFS in Ephraim would like to work with them, and may have access to funding for a shelter, and for the Hispanic people. They would like to reactivate the crisis hotline, and are looking to put together a source guide instructing people who to call when they have a problem. The Commissioners advise that economic development is currently working on a guide. Last year the generous people of Sanpete County raised \$14,202.59 for Sub for Santa. This money served nearly 900 children. Donations of household items and clothing would be appreciated for the new shelter.

Motion is made by Commissioner Frischknecht to recess for a few minutes. The motion is seconded by Commission Cox, and the motion passes.

Motion is made by Commissioner Frischknecht to reconvene. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL OF MINUTES

Motion is made by Commissioner Cox to approve the minutes from the July 1 work meeting with no corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve the minutes from the July 1 special meeting with no corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve the minutes from July 7 with minor corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes.

REVIEW AND CONSIDER FOR APPOINTMENT APPLICATIONS FOR SANPETE SPECIAL SERVICE DISTRICT #1 ADMINISTRATIVE CONTROL BOARD

Applications were received by the following: Ben Black, Gary E Arnoldson, Blaine Ira Nielson, W. Bruce Bown, and Russell Gene Yardley. Motion is made by Commissioner Frischknecht to appoint Ben Black, Blaine Ira Nielson, W. Bruce Bown, Gary E Arnoldson, and Commissioner Claudia Jarrett to serve on the SSD. The motion is seconded by Commissioner Cox, and the motion passes. The new board will take their oaths of office on August 4, 2009, and their terms will be determined then.

AXTELL SPECIAL SERVICE DISTRICT: REVIEW OF STATE AUDITOR LETTER

Sharon Mecham, Travis Blackburn, and Wade Brackett are present. Axtell is annexing some property into the district. The property is outside of the district, but the meter is in the district. County Attorney Ross Blackham will review the procedure for annexing for special service districts (SSD). The SSD reports that they now have an independent meter reader who is not a board member now. A fee relative to the post office has been set up and is collect on a donation basis, and is kept in a separate fund. Not all have donated, so they may need to set up an assessment for this. The money pays for utilities in the building. The SSD now has a CPA who assists in preparing the financial reports. It is suggested that the CPA work with the State to resolve the issues. The SSD's attorney, Richard Chamberlain has reviewed the correspondence with the State and wants to know if the County is interested in micro managing the SSD. The County has already addressed this, and is not interested in managing SSDs in that way. Wade Brackett explains that he didn't receive the correspondence between the State and the SSD. He contacted Van Christensen, the State Auditor, and was told that the State feels the answers given by the SSD weren't responsive to the questions that were asked. Ross Blackham explains that the County doesn't have the power or authority to tell the State to ease up. We do have oversight over the district, and have expressed our opinions to the State. The SSD needs to continue to work with the State to resolve any issues. Travis Blackburn responded to the letter as chair of the SSD board. Fire hydrants are discussed. There are not enough hydrants to meet the recommended number for safety. It was recommended to put in 28 more hydrants, and funding was received. The hydrants were purchased, and some are in the shed at this time. Part of the funding was used to tie in laterals so the water would be circulated. The SSD board meets at least 4 times a year, and lately have met almost monthly. The Commission is concerned that the board is not working together. They need to make their decisions together, and resolve issues as a board in open meetings, rather than referring concerned citizens to the State for answers. Negative comments have been made in the community about various board members. All agree that they need to ignore the negative comments about each other from the concerned citizens, and rise above it and do the best they can. Commissioner Cox states he would be willing to attend and mediate a board meeting if needed. Arrangements are made for Commissioner Cox to meet with the board for a work meeting on August 5th at 8:00 P.M. The Commission expresses their appreciation for the work that they do, and their continuing efforts to comply.


EXECUTIVE SESSION

No executive session was necessary.

Motion is made by Commissioner Frischknecht to adjourn. The motion is seconded by Commissioner Cox, and the motion passes.

The meeting is adjourned at 5:30 P.M.

ATTEST: 
Sandy Neill
Sanpete County Clerk

APPROVED: 
Claudia Jarrett
Commission Chair